MINUTES OF FEBRUARY 13, 2007
TOWN OF TALTY
BOARD OF ALDERMEN

The meeting was called to order at 7:48 p.m. by Mayor Earl Carter at the Trinity Family Church, and a quorum was announced. Board of Aldermen members present were Brad Davis, Todd Hutton, and Barbie Kraig. Frank Garrison was absent due to an out-of-town business trip. Carla Milligan was absent without notice. Also present were Connie Goodwin, Town Administrator, and Sherry Bagby, Town Secretary.

Citizens Allison Weaver and Chuck Eller, both of Winners Circle subdivision signed in to address the Board.

IV. The regular meeting was adjourned and the public hearing was open to hear comments from citizens on the application from Whitney Heritage III, L.L.C. to change zoning from residential to commercial on 5.01 acres and a preliminary plat on 118.1 acres for 238 residential lots at FM 1641 and FM 148.

Allison Weaver addressed the Board. She stated that the Town needs to closely monitor the growth of development coming and that the Board does not need to act too quickly to approve this request. In her opinion, commercial zoning on the corner of FM 148 and FM 1641 would create too much traffic flow for the roads and become congested. Ms. Weaver suggested that Mr. Irwin donate the land for a park. She also suggested that the Town do an impact study on the infrastructure regarding the police and fire coverage.

Chuck Eller addressed the Board. He was glad to see so much of Winners Circle represented. He did not want this concept to go forward. In his opinion, it would increase too much traffic on FM 1641. He wanted to know how this development, with smaller lots, would affect our police and fire services. He stated that there is a gas line running through this development, which is highly flammable. He was against allowing 1/3 acre lots because it would be detrimental to Winners Circle subdivision.

Preston Irwin, on behalf of Whitney Heritage III, addressed the Board on behalf of the application request for the proposed development of The Cotton Gin Estates. Mr. Eric Davis, an engineer from Forney, was also present to answer any questions regarding the engineering aspect of this application request. Mr. Irwin stated that this was only a concept plan to see what this community wants. This plan is contingent upon water and sewer. He wants to work as a team with the Town of Talty to develop a subdivision both can be proud of. The homes will be comparable in size and price to Shamrock and Winners Circle subdivisions. This plan will take 12 to 18 months minimum to implement, possibly up to three years. There is development all around Talty to bring in smaller lots, and 1/3 acre lots are a good balance. He would agree to 2200 sf minimum home and a 6’ brick wall surrounding the development. He is in the process of doing a traffic impact study. Mr. Irwin stated that "we are exposing our concept to get comments from the citizens of Talty. We want the community happy."

V. The public hearing closed and the regular meeting was opened to take action on this application request.

1. Charlie Webb, of the Planning & Zoning Commission, stated that they could not agree with this concept.

2. Mr. Goodwin stated that in the proposed Comprehensive Plan, there are 1/3 acre lots designated, but not yet adopted. The lot size will dictate the price. A 14,500 sf lot is 1/3 acre. Barbie Kraig stated that the Board needed to understand the concept better and it was too premature considering there are unanswered questions regarding the sewer. Brad Davis stated that he will not approve a preliminary plat yet and that Mr. Irwin needs to work with the P&Z. Todd Hutton suggested that Mr. Irwin do a cost analysis without sewer on one acre lots. Mr. Irwin stated that he has and it was not cost effective for them.

Brad Davis made a motion to deny the Application from Whitney Heritage III, L.L.C. to change zoning from residential to commercial on 5.01 acres and a preliminary plat on 118.1 acres for 238 residential lots at FM 1641 and FM 145 in a subdivision named Cotton Gin Estates.
Seconded: Todd Hutton
Vote: All in favor, motion carried.

3. The Board considered Ordinance 2007-01 to call for the election of a mayor, two aldermen and re-authorization of an additional sales tax of one-fourth of one percent (1%) to perform maintenance and repair work on municipal streets of the Town.

The current sales tax expires July, 2007.
Brad Davis made a motion to approve Ordinance 2007-01.
Seconded: Barbie Kraig
Vote: All in favor, motion carried.

4. The Board considered contracting with Kaufman County for election services. Mr. Goodwin stated that the cost is considerably more than last year and would be approximately $2,000, or less.

Todd Hutton made a motion to allow Connie Goodwin the authority to enter into a contractual agreement with Kaufman County, Dick Murphy-tax collector, for election services.
Seconded: Barbie Kraig
Vote: All in favor, motion carried.

7. The Board considered appointing two alternates to the Planning & Zoning Commission. The alternates would be required to attend all meetings, and

would be appointed as alternative #1 and alternative #2. If a member is absent, then an alternate could vote, even if a quorum existed.

Barbie Kraig made a motion to nominate Ronnie Rexrode, who lives in Winners Circle, and has expressed an interest to serve in this capacity.
Seconded: Brad Davis
Vote: All in favor, motion carried.

8. The Board discussed and considered their options regarding the ongoing litigation with Media Eyes. Media Eyes has initiated settlement. Media Eyes has requested a **trial by jury, currently set for March 12, 2007.**

Todd Hutton made a motion to authorize the Town's attorney to pursue settlement negotiations if it covers all the attorneys' fees incurred and expenses (per diem).
Seconded: Barbie Kraig
Vote: All in favor, motion carried.

9. The Board considered the purchase of two bullet-proof vests for Chief West and Officer Tapp, in the amount of $1,200, with a grant reimbursement of $1,050, which has already been approved.

Todd Hutton made a motion to purchase two bullet-proof vests up to $1,200 for Chief West and Officer Tapp.
Seconded: Barbie Kraig
Vote: All in favor, motion carried.

10. The Board discussed and considered the final payment of interest owed to Jay Hartsell d/b/a Security Custom Homes in the amount of $1,436.03 to finalize this matter.

Todd Hutton made a motion to pay $1,436.03 in interest to Jay Hartsell and to authorize Connie Goodwin, as Town Administrator, to execute any documents prepared by Town attorney, to state "with prejudice" to finalize settlement.
Seconded: Barbie Kraig
Vote: All in favor, motion carried.

11. The Board considered reimbursement to Greg Tapp in the amount of $75.00 for the field training seminar he attended in January, 2007, at Collin County Community College.

Brad Davis made a motion to reimburse Greg Tapp $75.00 for this course.
Seconded: Barbie Kraig
Vote: All in favor, motion carried.

12. The Board considered the Minutes from January 9, and January 30, 2007.

Barbie Kraig made a motion to approve Minutes from January 9 and 30, 2007.
Seconded: Brad Davis

Vote: All in favor, motion carried.

VI. Discussion Items

1. The Board discussed and reviewed financial reports. The Town is waiting for Murray & Co. to assist with questions for new fiscal year, before audit is complete.

2. Police Report for January, 2007 was distributed to Board members. Gregg Tapp was in attendance to answer any questions.

3. Connie Goodwin has requested Chief Jason West purchase a pay-as-you-go cell phone on behalf of the Town so the Board can contact him.

4. Connie Goodwin stated that he would like to schedule another Comprehensive Planning meeting within the next two weeks.

Meeting adjourned at 9:40 p.m.

Dated: ________________________

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Mayor Earl Carter

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Sherry Bagby, Town Secretary